

# EXHIBIT O

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**From:** Lustberg, Lawrence S  
**Sent:** Friday, April 8, 2022 4:39 PM  
**To:** Thomas, Andrew (USANYS)  
**Cc:** Podolsky, Matthew (USANYS); Rossmiller, Alexander (USANYS); Valen, Thomas R.; Nagel, Jeffrey L.  
**Subject:** Re: Investigation of Bill Hwang

Thank you, Andrew. I appreciate your prompt response.

Sent from my iPhone

On Apr 8, 2022, at 4:37 PM, Thomas, Andrew (USANYS) <Andrew.Thomas2@usdoj.gov> wrote:

Thanks for writing, Larry. We have forwarded your email up our supervisory chain. We will get back to you as soon as we are able.

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**From:** Lustberg, Lawrence S <LLustberg@gibbonslaw.com>  
**Sent:** Friday, April 8, 2022 4:15 PM  
**To:** Thomas, Andrew (USANYS) <AThomas@usa.doj.gov>; Podolsky, Matthew (USANYS) <MPodolsky@usa.doj.gov>; Rossmiller, Alexander (USANYS) <ARossmiller@usa.doj.gov>  
**Cc:** Valen, Thomas R. <TValen@gibbonslaw.com>; Nagel, Jeffrey L. <JNagel@gibbonslaw.com>  
**Subject:** [EXTERNAL] Investigation of Bill Hwang

Dear Andrew, Matt and Alex,

I write to request a call with you and the appropriate supervisory personnel to discuss the timing of our substantive presentation.

The reason for this request is that we continue to believe that the proposed timetable under which we are working is insufficient to allow us reasonable time to adequately prepare for that important session. Meanwhile, we are unaware of any justification for the urgency (such as the running of a statute of limitations or the like). As you know from our prior conversation, we feel strongly that we should not be forced to go forward with a less than complete presentation, in a case of this magnitude and complexity, based upon what is clearly a novel legal theory, because of the extraordinarily tight time frame that has been provided to us – *i.e.*, less than two weeks from the time that the invitation for us to present was extended to us, which itself followed shortly after our client's second day-long interview – and while the investigation is still ongoing, as it clearly is. We think it is especially unfair given how forthcoming we have been in terms of providing attorney proffers promptly upon being contacted by you, and taking the extraordinary step of bringing our client in for two interview sessions in very short order following those proffers – all of which happened within a 3-month period.

That said, you have been clear that this decision involved supervisory personnel, so I am writing to seek a meeting with whoever has declined our reasonable request for additional time – a request that is motivated by no more than a desire to have the kind of open-minded, thorough and careful discussion that a case like this, in particular, deserves and that has been in the tradition of the U.S. Attorney's Office for the Southern District of New York. I therefore request that we have the opportunity to talk to whoever it is that is the decision-maker with regard to the timing of this session, a conversation that I think is warranted in terms of my representation of Mr. Hwang and which, I would hope, would be viewed as part of our effort to fully air this matter with your office and thus would likely be of ultimate assistance to your office as well.

Accordingly, please advise who we might speak to about this issue and, if it is within your purview to do so, let us know when a conversation along the lines I have described could occur, either by phone or video. Thank you very much.

Larry

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